

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**BRENDA J. OTTE, ADMINISTRATRIX
OF THE ESTATE OF GLADYS
REYNOLDS, individually and on behalf of
all others similarly situated,**

Plaintiffs,

vs.

NO. 09-CV-11537-RGS

**LIFE INSURANCE COMPANY OF
NORTH AMERICA, CONNECTICUT
GENERAL LIFE INSURANCE
COMPANY and DOES 1 through 100,
inclusive,**

Defendants.

PLAINTIFF'S MOTION FOR CLASS CERTIFICATION

Pursuant to Rule 23(b)(1), (b)(2) and/or (b)(3) of the Federal Rules of Civil Procedure, Plaintiff Brenda J. Otte respectfully moves for Class Certification of a class consisting of all persons who satisfy each of the following criteria:

- (1) At any time after September 14, 2003 and continuing to the present;
- (2) They were beneficiaries under group life insurance policies issued by a Cigna company which are employee benefit plans within the meaning of 29 U.S.C. § 1002 (3); and
- (3) CGLIC retained the death benefits that were due to them, by the creation of a CIGNAssurance Account.

A Memorandum of Law in support of the motion is being filed under seal concurrently with this motion.

DATED: July 2, 2010

Respectfully submitted,

Brenda J. Otte
By her attorneys,

/s/ Stuart T. Rossman
Stuart T. Rossman BBO #430640
Charles M. Delbaum BBO #543225
THE NATIONAL CONSUMER LAW CENTER
7 Winthrop Square, 4th Floor
Boston, MA 02110
(617) 542-8010
(617) 542-8028 (fax)

John C. Bell, Jr.
Leroy W. Brigham
BELL & BRIGHAM
Post Office Box 1547
Augusta, GA 30903-1547
(706) 722-2014
(706) 722-7552 (fax)

M. Scott Barrett
BARRETT & ASSOCIATES
520 North Walnut Street
P.O. Box 5233
Bloomington, IN 47407-5233
(812) 334-2600
(812) 337-8850 (fax)

Jeffrey G. Casurella
LAW OFFICES OF JEFFREY G.
CASURELLA
400 Interstate N. Pkwy. Suite 310
Atlanta, GA 30339
(770) 858-1660 (Office)
(770) 858-1665 (Fax)

Joseph K. Markel
Ronald K. Lambring
MARKEL MARKEL & LAMBRING
136 South Main Street
P.O. Box 121
Brownstown, Indiana 47220
(812) 358-3200
(812) 358-3919 (fax)

Helen Cleveland
ROBERTS, ERCK & CLEVELAND
945 East Paces Ferry Road
Suite 2220 Resurgens Plaza
Atlanta, GA 30326-1125
(404) 760-2792
(404) 233-2404 (fax)

Cary L. Flitter
LUNDY FLITTER & BELDECOS, PC
450 North Narberth
Narberth, PA 19072
(610) 668-0770
(610) 667-0552 (fax)

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party via the Court's CM/ECF electronic filing system on July 2, 2010.

/s/Stuart T. Rossman

Stuart T. Rossman BBO# 430640

Charles M. Delbaum BBO #543225

NATIONAL CONSUMER LAW CENTER

7 Winthrop Square, 4th Floor

Boston, MA 02110

(617) 542-8010

srossman@nclc.org

Attorneys for the Plaintiffs